

Notice of Allowability

Application No.

10/041,052

Examiner

Michael P. Stafira

Applicant(s)

PERKINS ET AL.

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2877

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 6/23/2004.
2. ☒ The allowed claim(s) is/are 1-24, 26-35 and 37-46.
3. ☒ The drawings filed on 07 January 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

- a. In claims 37-39 please change the claim dependency from "36" and insert --32--.

Allowable Subject Matter

1. Claims 1-24, 26-35, 37-46 are allowed over the prior art of record.
2. The following is an examiner's statement of reasons for allowance:

Regarding claim 1, the prior art fails to disclose or make obvious a device for determining a location based on modulated light source having a lens for receiving modulated light from the light source and projecting a light pattern, wherein a processor operable to determine an identification of the modulated light source and to determine the location based on the output signal and the identification of the modulated light source, and in combination with the other recited limitations of claim 1. Claims 2-15 are allowed by the virtue of dependency on the allowed claim 1.

Regarding claim 16, the prior art fails to disclose or make obvious a method for determining a location based on a plurality of light sources having the steps of projecting the

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light through a pinhole lens onto a light sensing surface to produce a pattern of light on the light sensing surface and determining the location based on the pattern of light on the light sensing surface, and in combination with the other recited limitations of claim 16. Claim 17 is allowed by the virtue of dependency on the allowed claim 16.

Regarding claim 18, the prior art fails to disclose or make obvious a method for determining the position of a device having the step of projecting the light onto a light sensing surface to form a projected image and receiving a signal from the light sensing surface, the signal being indicative of the position of the projected image on the light sensing surface, then determining the position of the device from the signal and the stored information and then transmitting the position of the device to other devices in a network of devices, and in combination with the other recited limitations of claim 18. Claims 19-24, 26-31 are allowed by the virtue of dependency on the allowed claim 18.

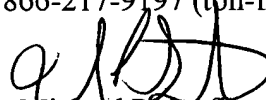
Regarding claim 32, the prior art fails to disclose or make obvious an object location system having a lens for receiving light from the first light source and projecting a light pattern; one or more additional light sources located at additional positions and a processor responsive to the output signal, wherein the processor is operable to determine the position of the detection device from the output signal and the known position of the first light source and wherein the processor is operable to determine the position of the detection device from the output signals due to each of the first and additional light sources and the first and additional known positions of the light sources, and in combination with the other recited limitations of claim 32. Claims 33-35, 37-46 are allowed by the virtue of dependency on the allowed claim 32.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael P. Stafira whose telephone number is 571-272-2430. The examiner can normally be reached on 4/10 Schedule Mon.-Thurs..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Toatley can be reached on 571-272-2800 ext. 77. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Michael P. Stafira
Primary Examiner
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August 25, 2004